

**ORIGINAL**

**FILED**

August 12 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Cause No. DA 10-0290

GEORGE COZINO and  
DEBORAH ANN COZINO,

Petitioners and Appellees,

vs.

GLENN ROYCE JONES,

Respondent/Appellant.

**FILED**

AUG 12 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF  
AND AFFIDAVIT IN SUPPORT

On Appeal from the District Court of the Eighth Judicial District  
Cascade County, State of Montana  
Hon. Thomas M. McKittrick, Presiding  
Cause No. ADR-10-306

**APPEARANCES:**

Alexander (Zander) Blewett, III  
Anders Blewett  
HOYT & BLEWETT, PLLC  
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Attorneys for Petitioners/Appellees

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Attorney for Respondent/Appellant

COMES NOW, Nathan J. Hoines, counsel of record for the Respondent/Appellant, and respectfully requests an extension of time until September 21, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit and is made pursuant to Rule 26 of the Rules of Appellant Procedure.

Respectfully submitted this 11 day of August, 2010.

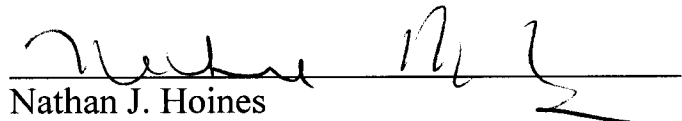
HOINES LAW OFFICE, P.C.

By:   
Nathan J. Hoines  
Attorney at Law

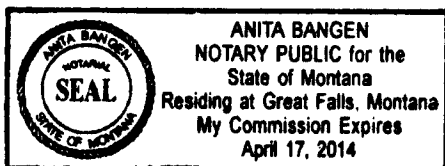
STATE OF MONTANA                    )  
  : ss.  
County of Cascade                    )

I, Nathan J. Hoines, being first duly sworn upon my oath, depose and state as follows:

1. I am a licensed, practicing attorney in the State of Montana.
2. The Appellant's opening brief is due on August 21, 2008.
3. Due to my trial schedule and the complicated issues, including constitutional issues in this matter, I cannot meet the present deadline for filing the Appellant's brief.
4. I will work diligently to complete the matter in the time requested.
5. Opposing counsel has been contacted concerning this motion and does not object.
6. Further your affiant sayeth naught.

  
Nathan J. Hoines

SUBSCRIBED AND SWORN to before me this 11TH day of August, 2010.



  
Notary Public for the State of Montana

(Affix or Stamp NOTARIAL SEAL above)

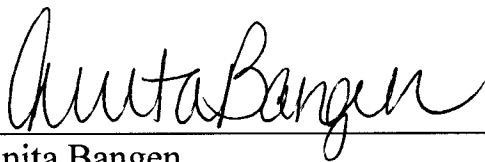
## CERTIFICATE OF SERVICE

I hereby certify that a true and copy of the foregoing document was served on the following persons by the following means:

_____	CM/ECF
_____	Hand Delivery
<u>1,2 3</u>	Mail
_____	Overnight Delivery Service
_____	Facsimile
_____	E-Mail

1. Clerk, Montana Supreme Court  
P.O. Box 203003  
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2. Alexander Blewett, III  
Zanders Blewett  
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3. Glenn Royce Jones  
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Dated this 11<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
Anita Bangen  
Legal Secretary